

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

RAMON ARAGON, *et al.*,

Defendants.

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CLERK OF COURT
69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM

Rio Cebolla, Section 3

Subfile No.: CHCB-002-0011

CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico and Defendant(s):

JOSE LUCAS CORDOVA

concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Rio Cebolla, Section 3, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.
3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.

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4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Rio Cebolla, Section 3, is set forth below:

A. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s) 01413, 01414

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface waters of the Rito del Medio, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: VENCESLAO MARTINEZ DITCH

Location: X= 1,582,659 feet Y= 2,019,413 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Section 25, Township 27N, Range 04E, N.M.P.M.

Pt. NE¼	0.1 acres
Pt. NW¼	5.4 acres
Pt. SW¼	48.7 acres
Total	54.2 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

B. NO RIGHT (Surface Water Only):

Office of the State Engineer Files No(s) NONE

Priority: NONE

Source of Water: Surface waters of the Rito del Medio, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: NO RIGHT

Point of Diversion:

Ditch: VENCESLAO MARTINEZ DITCH

Location: X= 1,582,659 feet Y= 2,019,413 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Acreage

Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. NE¼ 2.1 acres

Pt. SE¼ 0.2 acres

Total 2.3 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

Amount of Water: NONE

C. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s) 01133-01167

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface waters of the Rito Cienega Redonda, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: MARTINEZ - CORDOVA NORTH DITCH

Location: X= 1,577,438 feet Y= 2,015,387 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Section 25, Township 27N, Range 04E, N.M.P.M.

Pt. SW¼ 2.6 acres

Total 2.6 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

D. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s) 01133 - 01167

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface waters of the Rito Cienega Redonda, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: CORDOVA - MAES NORTH DITCH

Location: X= 1,575,973 feet Y= 2,016,586 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Section 25, Township 27N, Range 04E, N.M.P.M.

Pt. SW $\frac{1}{4}$	10.1 acres
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Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$	11.9 acres
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Total	22.0 acres
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As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

E. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s) NONE

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface waters of the Rito del Tanque, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: QUINTANA DITCH

Location: X= 1,574,233 feet Y= 2,018,349 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. NE $\frac{1}{4}$	1.1 acres
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Pt. SE $\frac{1}{4}$	4.9 acres
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Total 6.0 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

F. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s) 0604

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface waters of the Rito del Tanque, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: ACEQUIA MADRE DE CEBOLLA

Location: X= 1,573,684 feet Y= 2,017,953 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Section 26, Township 27N, Range 04E, N.M.P.M.

Pl. SE¼ 4.9 acres

Total 4.9 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

G. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s) NONE

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface waters of the Rito del Tanque, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: UNNAMED DITCH NO. 2

Location: X= 1,573,354 feet Y= 2,016,691 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Consent Order

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Subfile No.: CHCB-002-0011

Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. SE¼ 2.6 acres

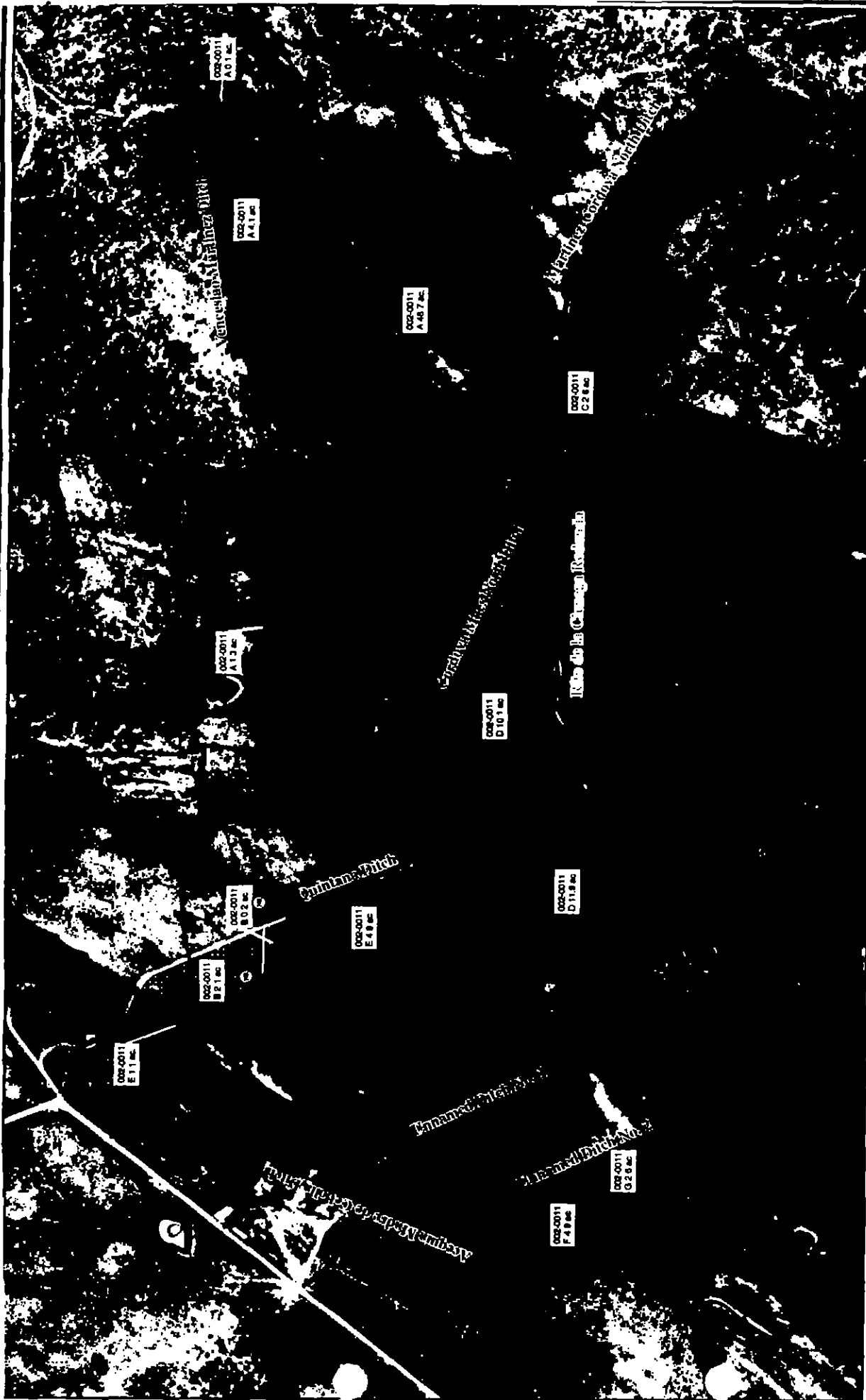
Total 2.6 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

5. Defendant(s) have no surface water rights in the Rio Chama Stream System, Rio Cebolla, Section 3, other than those set forth in this order and those other orders entered by this Court in this cause.
6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Rio Cebolla, Section 3, except in strict accordance with the water rights described herein.
7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

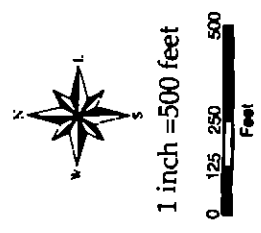
IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Rio Cebolla, Section 3, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Rio Cebolla, Section 3, except in strict accordance with the rights set forth herein or in other orders of the Court.



Subfile Number
CHCB 002-0011
 Venceslao Martinez,
 Cordova-Maes North and
 Quintana Ditch,
 Unnamed Ditch No. 2,
 Acequia Madre de Cebolla
 AMENDED September 11, 2003

STATE OF NEW MEXICO
 Office of the State Engineer
 John R. D'Antonio, Jr., P.E., State Engineer

Rio Chama Hydrographic Survey
 Rio Cebolla Section



- LEGEND**
- Irrigated Tract Boundary
 - No Right Tract Boundary
 - Point of Diversion
 - Well
 - Spring
 - Fallow
 - No Right
 - Sweeped Area
 - Operable Ditch
 - Inoperable Ditch
 - Stock Ponds / Reservoir